

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR ISSUANCE OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

Your affiant, Special Agent David J. Desy, being duly sworn and deposed, states as follows:

INTRODUCTION

1. I have been employed as a Special Agent with the Federal Bureau of Investigation (FBI) since March of 2004. I am currently assigned to Norfolk Field Office's Child Exploitation Task Force. While employed by the FBI, I have investigated federal criminal violations related to high technology or cybercrime, child exploitation, and child pornography. I have gained experience through training in forensic software/hardware, child/adolescent interviewing, computer design and networking, computer intrusion investigations, asset forfeiture, informant development, surveillance, case management, victim advocacy and everyday work relating to conducting these types of investigations. I have received training in the areas of child pornography (CP) and child exploitation (CE). As such, I have had the opportunity to observe and review numerous examples of CP (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. I have also received training and conducted investigations involving multiple peer-to-peer networks, including Freenet, the Darkweb, The Onion Router (TOR), and other online methods of distributing and receiving CP. Moreover, I am a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 2251, 2252 and 2252A. I am authorized by law to request a search warrant and have obtained and participated in the execution of numerous search warrants resulting in the seizure of computers, electronic media, and other items evidencing violations of state and federal laws including the above CE offenses.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. This affidavit is being made in support of a criminal complaint and application for an arrest warrant for **Brandon Lindsey (Mr. Lindsey)** who is suspected of violations of 18 U.S.C. §§ 2251(a) (production of child pornography), 2252(a)(2) (receipt of child pornography), and 2252(a)(4)(B) (possession of child pornography), 2422(b) (coercion and enticement of a minor), and 2423(b) (interstate travel with intent to engage in a sexual act with a minor), offenses which occurred in the Eastern District of Virginia and elsewhere.

BACKGROUND OF THE INVESTIGATIVE TEAM

4. This ongoing investigation is being conducted by Air Force Office of Special Investigations (AFOSI) and the Federal Bureau of Investigation (FBI). The respective agents and investigators assigned to this investigation are hereinafter referred to as "the investigative team."

PERTINENT FEDERAL CRIMINAL STATUTES

5. 18 U.S.C. § 2251(a) provides that any person who employs, uses, persuades, induces, entices, or coerces any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in or affecting interstate or foreign commerce, or in any Territory

or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, shall be punished as provided under subsection (e), if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed, shall be punished

7. 18 U.S.C. § 2252(a)(2) provides that any person who knowingly receives, or distributes, any visual depiction using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported, by any means including by computer, or knowingly reproduces any visual depiction for distribution using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or through the mails, if (A) the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and (B) such visual depiction is of such conduct, shall be punished.

8. 18 U.S.C. § 2252(a)(4)(B) prohibits a person from knowingly possessing, or knowingly accessing with intent to view, one or more books, magazines, periodicals, films, or other materials which contain visual depictions of minors engaged in sexually explicit conduct that have been mailed, shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or which was produced using materials which have been mailed, shipped or transported, by any means including by computer.

9. 18 U.S.C. § 2422(b) provides that whoever, using any facility or means of interstate or foreign commerce knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years, to engage in...any sexual activity for which any person can be charged with a criminal offense, namely Va. Code. § 18.2-370(A)(3), or attempts to do so, shall be punished.

10. 18 U.S.C. § 2423(b) prohibits interstate travel with intent to engage in a sexual act with a minor, stating that a person who travels in interstate commerce with a motivating purpose of engaging in any illicit sexual conduct with another person shall be fined under this title or imprisoned not more than 30 years, or both.

11. Virginia Code Section 18.2-370(A)(3) prohibits any person 18 years of age or over, who, with lascivious intent, knowingly and intentionally proposes that any such child feel or fondle his own sexual or genital parts or the sexual or genital parts of such person or propose that such person feel or fondle the sexual or genital parts of any such child.

BASIS FOR FACTS CONTAINED IN AFFIDAVIT

12. Since this affidavit is being submitted only for the limited purpose of securing authorization for a criminal complaint and arrest warrant, your affiant has not included each and every fact known to the investigative team concerning this investigation. Rather, your affiant has set forth only those facts that are believed to be necessary to establish probable cause to arrest the aforementioned individual.

13. Your affiant has personally participated in the investigation of the offenses described in this affidavit. As a result of your affiant's participation in this investigation and a review of reports made to your affiant by other members of the investigative team, your affiant is familiar with the circumstances of this investigation. On the basis of this familiarity, and on the basis of the other information which I have reviewed and determined to be reliable, your affiant alleges the following:

FACTS AND CIRCUMSTANCES

14. On January 10, 2022, the United States Air Force Office of Special Investigations (AFOSI) was investigating a complaint of a sexual assault. The subject of the investigation was an Airman named Brandon Tyler Lindsey (Mr. Lindsey). On February 28, 2022, AFOSI seized Mr. Lindsey's cell phone via a military search and seizure authorization. During the investigation of the sexual assault, Mr. Lindsey voluntarily provided his passcode. On May 5, 2022, AFOSI obtained authorization to expand the search authorization from the complaint of a sexual assault to include another complaint of Wrongful Broadcast or Distribution of Intimate/Sexual Images, a violation of the Uniform Code of Military Justice (UCMJ).

15. During the review of Mr. Lindsey's iPhone 13 mini, IMEI 359886432727013, for evidence of Wrongful Broadcast or Distribution of Intimate/Sexual Images based off search authorization expansion dated May 5, 2022, AFOSI discovered several Instagram and iMessage conversations of Mr. Lindsey attempting to entice children ranging between the ages of 12 and 17. The review also revealed Mr. Lindsey was accused via an Instagram message from one of the Instagram accounts of having sexual intercourse with a 12-year-old later identified as Victim 1 of Chesapeake, Virginia. On May 11, 2022, AFOSI obtained a second search authorization expansion for Mr. Lindsey's iPhone 13 mini, IMEI 359886432727013, for evidence of Sexual Assault of a Child, UCMJ Article 120, Child Pornography, UCMJ Article 134, and Pandering & Prostitution, UCMJ Article 134.

16. Mr. Lindsey, 27, is an active-duty member of the United States Air Force (USAF) currently stationed and residing on Seymour Johnson AFB (SJAFB), NC. He is and was stationed at Seymour Johnson AFB (SJAFB), NC, and began his military service on October 8, 2019. Mr. Lindsey's home of record is in Chesapeake, VA, which is approximately three hours away from SJAFB, NC. Mr. Lindsey returns to his home of record on a regular basis when he is not working and stayed with his parents at that address while within the Eastern District of Virginia.

17. On June 21, 2022, AFOSI submitted a subpoena to Meta Platforms, Inc. for subscriber information for Instagram user that accused Mr. Lindsey of sex with a 12-year-old. Meta Platforms Business Records revealed the account belonged to Victim 1's civilian mother with a registered email address associated with her and a verified phone number also associated with the mother.

- a. On July 12, 2022, a review of Lexis Nexis for records associated to Victim 1's mother's phone number revealed she lived at an address in Virginia Beach, VA.

18. It was identified that Virginia Beach Police Department (VBPD), Special Victims Unit, 2509 Princess Anne Road, Virginia Beach, VA, received a complaint from Victim 1's mother on December 2, 2020. From approximately July 27 through August 1, 2022, AFOSI coordinated with the VBPD and requested to obtain a copy of any screenshots of messages Victim 1's mother may have provided regarding the communications between Mr. Lindsey (Instagram user "souljaa.slimm") and Victim 1.

- a. On July 26, 2022, AFOSI reviewed the VBPD Incident/Investigation report, dated December 2, 2020, at 1740 hours. The report revealed Victim 1 was 12 years old at the time and was leaving at night with an unknown male to perform sexual acts. Victim 1 had met the male identified as Instagram user "souljaa.slimm" on Instagram. Victim 1 and "souljaa.slimm" had communications regarding how they would meet up and perform sexual acts on one another. "souljaa.slimm" mentioned he could get in trouble with the police and wanted to continue to see Victim 1 regardless of the consequences. "souljaa.slimm" asked Victim 1 if he was the best and what he could do to make it feel better the next time.

19. Between December 2, 2020 and December 29, 2020, Mr. Lindsey's text message conversations with a cell phone number belonging to his friend, Witness 1, revealed that the following conversation ensued between Mr. Lindsey and Witness 1, but does not encompass the conversation in its entirety:

- a. On December 2, 2020, Mr. Lindsey stated, "When you wake up call me back I need your help" and Witness 1 replied "Just now getting up 1 sec."
- b. On December 2, 2020, Mr. Lindsey sent Witness 1 a screenshot of a message Victim 1's mother sent Mr. Lindsey letting him know she was going to report him to the police for having sexual intercourse with Victim 1.
- c. On December 2, 2020, Mr. Lindsey sent a second screenshot to Witness 1 depicting a google search of the UCMJ consent age.
- d. On December 24, 2020, Mr. Lindsey stated "Yo can you look this person up on ig for me ? I'm bout to send the name" and Witness 1 replied "sure." Mr. Lindsey replied with Victim 1's Instagram username and Witness 1 replied, "who is this." Mr. Lindsey replied, "Hold on call you right back."
- e. On December 29, 2020, Mr. Lindsey stated, "can you look up that girl again for me" "on insta" and Witness 1 replied, "I can but if I was u I wouldn't message her" "nothing new." Mr. Lindsey replied "I'm not." Witness 1 replied "She aint post nothing" and Mr. Lindsey replied, "Screen shot the profile page for me please."
- f. On December 29, 2020, Witness 1 sent a screenshot of Victim 1's Instagram profile. Mr. Lindsey replied "So the first pic says November right ?" and Witness 1 replied "November 29."

20. A review of Mr. Lindsey's iPhone 13 mini revealed the following search history:

- a. January 31, 2022 - Petite anal creampie
- b. January 31, 2022 - Small anal creampie
- c. January 31, 2022 - Child anal sex video
- d. January 31, 2022 - Teen anal creampie load
- e. January 31, 2022 - Teen anal creampie
- f. January 31, 2022 - Child anal sex video
- g. January 31, 2022 - Child anal sex
- h. February 6, 2022 - Air force rape punishments

21. A review of Mr. Lindsey's iPhone 13 mini revealed the following web history:

- a. January 31, 2022 - Child anal sex (Google search)
- b. January 31, 2022 - Child anal sex video (Google search)
- c. January 31, 2022 - Teen anal creampie load (Google search)
- d. February 6, 2022 - Air force rape punishments
- e. February 6, 2022 - UCMJ Article 120 Rape and Sexual assault

22. On August 5, 2022, AFOSI, interviewed Victim 1 at the VBPD, who stated she met Mr. Lindsey on Instagram in 2020 and primarily spoke with Mr. Lindsey via Instagram. Victim 1 confirmed the Instagram account that accused Mr. Lindsey of sex with a 12-year-old was an account that she had previously used. Victim 1's mother also sent an Instagram message on that account to Mr. Lindsey after she realized Mr. Lindsey had sexual intercourse with Victim 1. Victim 1's mother informed Mr. Lindsey she would be reporting the matter to the police. Furthermore, when Victim 1 no longer had access to her electronic devices, Mr. Lindsey would reach out to her friends on Instagram to communicate with her through her friends' Instagram profiles. Victim 1 recalled Mr. Lindsey's name was "Brandon" and stated she and Mr. Lindsey hung out in person several times. Mr. Lindsey told Victim 1 he was 17 years old. Victim 1 had informed Mr. Lindsey she was previously raped. Mr. Lindsey performed vaginal, anal, and digital penetration on Victim 1. Mr. Lindsey always wanted to have sex with Victim 1 in person, even if they did not plan to have sex in communications prior to the meet. Mr. Lindsey purchased multiple Plan B pills for Victim 1 and told her to consume them to avoid pregnancy.

23. On January 11, 2023, Victim 1's mother was interviewed. Victim 1's mother provided AFOSI, 47 screenshots of conversations between Mr. Lindsey and Victim 1. The screenshots contained sexual conversations from 2020 between Victim 1 and Mr. Lindsey. Victim 1 told Mr. Lindsey she was 13 years old, and Mr. Lindsey stated he was 17 years old during the conversation. The following conversation was derived from the screenshots but does not encompass the entirety of the conversation:

- a. 46 of 47 screenshots depict Mr. Lindsey's Instagram username "souljaa.slimm".
- b. One screenshot depicts Victim asking Mr. Lindsey "why u outta town anyways" and Mr. Lindsey replied, "For my job, I help out the military in North Carolina then I come back home on my off days."
- c. One image depicted Victim 1 stating "Damn imma friend with benefits" and Mr. Lindsey replied "I say that cause we aren't just talking yet an we already fucked,

plus you gave me head. That's the only thing I could think of. I never had a fwb so your my first one."

- d. One screenshot depicted Mr. Lindsey stated "Oh but I'm 17 tho so it's cool"
- e. One screenshot depicted Mr. Lindsey stated "I mean you could give me head again & we could try anal, I lowkey wanted to try that with you. You would be the first person I'd do it with. It's not that bad."
- f. One screenshot depicted Mr. Lindsey asking Victim 1 "an did I make your legs shake last time" and Victim 1 replied "ya". Mr. Lindsey then replied "That's what good dick does to you lol but do you have anymore cute pics of you."
- g. One screenshot depicts Mr. Lindsey stating "An can you send a pic of your ass in your thong tonight ?" and stated "It'll be safe with me, I'm not showing anyone."
- h. One screenshot depicts an image of Victim 1 wearing a black bra and underwear.
- i. One screenshot depicts Mr. Lindsey stating "Did you take anymore sexy pics for me"
- j. One screenshot depicts Mr. Lindsey stating "Your nice ass ofc". Victim 1 responded "Ion got one." Mr. Lindsey responded "Yea you do cause I was feeling it when you gave me head & an I grabbed it while I was fucking you."
- k. One screenshot depicts Mr. Lindsey stating "Ok cause I don't want your moms to wake up & call the police an shit."
- l. One screenshot depicts Mr. Lindsey stating "Hell nah lol I'll be drunk but I'm not stupid. I don't wanna mess up what we have going on, plus I don't wanna go to jail."
- m. One screenshot depicts Mr. Lindsey stating "But you don't have to worry about that with me, I'm not gonna rape you."
- n. One screenshot depicts Mr. Lindsey stating "I think if I made your legs shake then it's pretty good. Or im just big idk. All I know is next time will be better but im not rushing it."

24. On January 11, 2023, AFOSI interviewed Victim 1's civilian father of Chesapeake, VA, at his residence. During the interview, Victim 1's father was asked if he still possessed any of Victim 1's electronic devices which may have been used to facilitate communication between Victim 1 and Mr. Lindsey. Victim 1 was at the residence at the time and informed AFOSI she believed the Instagram account "[Instagram account #2 of Victim 1]" was one of the accounts used to communicate with Mr. Lindsey.

25. On February 1, 2023, AFOSI obtained a search warrant from North Carolina, Superior Court Judge, William Bland, for Instagram accounts "xan.brxn", "brxn.banks", "brxn.bxnks", and

“souljaa.slimm” owned by Mr. Lindsey. The search warrant obtained was executed on February 1, 2023. The search warrant for Instagram account “souljaa.slimm” was returned on March 20, 2023. A review of Meta Platforms Business Records revealed the following message:

- a. Author: [Instagram account #3 of Victim 1]
- b. Sent: 2020-11-30 07:46:49 UTC
- c. Body: This is [Victim 1] my mom found out she told me that she would call the cops and she has ss of our messages so plz don't talk to me for a lil while for you good block my acc plz so u don't get in trouble please make sure that nothing happens to you btw I still love you and everything we just need a brake bc I don't want anything to happen to you

26. On May 24, 2023, an interview of Victim 1 revealed Victim 1 was introduced to Mr. Lindsey in approximately 2020 by a friend, also a minor. During the interview, Victim 1 was presented with Snapchat communications. Victim 1 identified one of the two Snapchat accounts as her own and recalled the conversations with the other user “bran_bran96” as a conversation she had with Mr. Lindsey. Victim 1 relayed the Snapchat conversations provided consisted of Mr. Lindsey trying to convince her to perform anal sex with him after she had stated she did not want to. Mr. Lindsey offered Victim 1 drugs so she wouldn't feel any pain from the anal sex. Mr. Lindsey became upset with Victim 1 when she did not allow him to perform anal sex on her. Mr. Lindsey informed Victim 1 he had sexual encounters with other girls her age and they allowed him to do anal. Victim 1 recalled a time when she and another minor were picked up by Mr. Lindsey in a sedan. Victim 1 had performed oral sex on Mr. Lindsey while the other minor waited outside the car. Mr. Lindsey asked Victim 1 to engage in a threesome; the other minor declined. The other minor, when interviewed, corroborated the information and added that Mr. Lindsey and Victim 1 engaged in penile-vaginal intercourse while she was outside of vehicle and the oral sex was performed on Mr. Lindsey during the drive to their ultimate location. She stated that she was with Victim 1 in summer of 2020. Mr. Lindsey asked Victim 1 for approximately 5 nude images and had requested specific poses which Victim 1 believed were exchanged via Instagram. Victim 1 was presented with a redacted image found on Mr. Lindsey's iPhone 13 mini. Victim 1 identified herself in the photo and stated the pose which exposed her anus and vagina was requested by Mr. Lindsey because of his anal fetish. Victim 1 believed that approximately 5 months ago, Mr. Lindsey tried to follow her on social media again.

27. On April 11, 2020, Mr. Lindsey's text message conversation with a cell phone number belonging to Witness 1 of Chesapeake, VA, revealed the following conversation ensued between Mr. Lindsey and Witness 1, but does not encompass the conversation in its entirety:

- a. On April 11, 2020, Mr. Lindsey stated “Imma see Victim 2 if I can tonight too. Maybe eat her ass again” “I'll be drankin.”
- b. On April 11, 2020, Mr. Lindsey stated “Don't act like I don't do this.” Witness 1 replied “Lol I ain't know u did that to her” “I know u fucked.” Mr. Lindsey replied “I did like 2 years ago.”

- c. On April 11, 2020, Mr. Lindsey stated “Fucked her in the ass 5 years ago” and Witness 1 replied “U are the booty too.”

28. On August 5, 2022, AFOSI interviewed Victim 2 at VBPD. Victim 2 verbally relayed she met Mr. Lindsey in approximately 2016 or 2017, when she was about 14 years old. Victim 2 and Mr. Lindsey’s relationship consisted of drinking and smoking before their relationship turned sexual when she was approximately 14 or 15 years old. Victim 2 recalled Mr. Lindsey was 18 or 19 at the time. Mr. Lindsey and Victim 2 attempted to perform anal sex and vaginal sex, which Victim 2 did not like. On an unknown date, Victim 2 and Mr. Lindsey engaged in “foreplay” but Victim 2 did not want to have sex, which resulted in Mr. Lindsey becoming extremely upset. Mr. Lindsey had digitally penetrated Victim 2. Victim 2 believed Mr. Lindsey may be “gay” because he “liked ass too much.” Victim 2 had sex with Mr. Lindsey approximately eight times between 2016 – 2017, with three of those times being penetration. Mr. Lindsey digitally penetrated Victim 2’s “butt” and performed oral sex on Victim 2’s vagina. Victim 2 performed oral sex on Mr. Lindsey. Mr. Lindsey begged Victim 2 for sex. Mr. Lindsey purchased weed from a friend and later shared the weed with Victim 2. Mr. Lindsey purchased a “Plan B” for Victim 2 after sexual intercourse.

29. On January 29, 2022, Snapchat messages between Snapchat user “brxn.brnxn” and Victim 3 revealed the following conversation ensued but does not encompass the entirety of the conversation:

- a. On January 29, 2022, Mr. Lindsey identified himself as “Heey its Brandon , I got your snap from insta.”
- b. On January 30, 2022, Victim 3 asked “yuh whats your insta?” Mr. Lindsey replied “What do you think ? & its brxn.bxnks.”
- c. On February 01, 2022, Mr. Lindsey stated “An not to be weird or nun buttt would you ever wanna chill one day if I drive down to currituck for a lil ? We can get food & shii
- d. On February 01, 2022, Victim 3 asked “how old are you?” and Mr. Lindsey replied “Im 19” “Wbu ?” and Victim 3 replied “16.”
- e. On February 02, 2022, Mr. Lindsey stated “I wanna say sum, but I’ll wait till I see you. Cause imma freak lowkey.” Victim 3 replied, “say dattt” “and” and Mr. Lindsey replied, “I wanna make out w you and tongue fuck your pussy & ass for you.”

30. On February 03, 2022, iMessages between Mr. Lindsey and Victim 3 revealed the following conversation ensued but does not encompass the conversation in its entirety:

- a. On February 03, 2022, Mr. Lindsey asked “An do you think you can send me more pics of you ? I wanna look at my bae more”

- b. On February 03, 2022, Mr. Lindsey stated “You don’t have to send any sexy nude or sexy pics just regular. But only if you want too. I wouldn’t be mad at that either. If you did I’d prolly just cream my pants right then & there.
- c. On February 04, 2022, Mr. Lindsey stated “It’s okay boo I know life stuff happens, but as long as I get to talk to you I’m happy an you first, if you send some sexy ones do it on snap.”
- d. On February 04, 2022, Mr. Lindsey stated “You have an amazing body babe & don’t let any nigga tell you different. Your tall too which I fw & the hair w the smile it’s just too perfect love!

31. On February 13, 2023, AFOSI interviewed Victim 3 at the Currituck County Sheriff’s Office, 125 College Way, Barco, NC. Victim 3 disclosed she met Mr. Lindsey on an application named Yubo. Victim 3 believed Yubo was like Tinder for kids between the ages 13 to 17. Victim 3 and Mr. Lindsey communicated for approximately three weeks. During those three weeks, Victim 3 informed Mr. Lindsey she was 16 or 15 years old but believed she was 15 at the time. Mr. Lindsey and Victim 3 exchanged phone numbers and Snapchat usernames. Victim 3 identified Mr. Lindsey’s cell phone number and relayed Mr. Lindsey’s Snapchat was “brxn.bxnks” and pointed out several images on his Instagram profile of which he had sent her. Mr. Lindsey informed Victim 3 he lived in Chesapeake, VA. Mr. Lindsey sent Victim 3 an image of him in what was described as a multicolored camouflage uniform. Mr. Lindsey asked to meet with Victim 3 in person and to Facetime multiple times. Mr. Lindsey offered to buy Victim 3 a nurse outfit so Victim 3 can play doctor on him. Mr. Lindsey specifically requested Victim 3 provide images or videos of her shaking her buttocks while nude, inserting foreign objects into her vagina and spreading her vagina open with her fingers so Mr. Lindsey may see the inside of her vagina. Mr. Lindsey also offered money for the nudes. Mr. Lindsey sent Victim 3 a video of himself masturbating and ejaculating. Although Victim 3 vehemently denied ever sending any nude photographs, nude photographs depicting her face and exposing her anus and vagina were found on Mr. Lindsey’s phone.

32. On October 3, 2020, iMessage conversations between Mr. Lindsey and a Virginia Beach, VA, cell phone number belonging to Victim #4, revealed the following conversations ensued, but does not encompass the conversations in its entirety:

- a. On October 3, 2020, Mr. Lindsey identified himself as “Brandon from Insta.”
- b. On October 5, 2020, Mr. Lindsey identified he was 19 years old when asked by Victim 4.
- c. Between October 3, 2020 and August 3, 2021, Mr. Lindsey made multiple attempts to meet Victim 4 in person.
- d. On October 6, 2020, following a failed meet up, Victim 4 asked Mr. Lindsey “where u going?” and Mr. Lindsey replied, “Bet & I’ll be goin back to my base in North Carolina an my days off are Sunday – Tuesday so I’ll be then.”

- e. On October 6, 2020, Mr. Lindsey stated “An idk if you like when guys give your head or not, but I might give you some at the end of the night. Only if you want.”
- f. On October 8, 2020, Mr. Lindsey stated “An imma have some henney if you like henney. But you don’t have to drink, I just know the (Emoji of a cat) taste better if I’m lit
- g. On October 15, 2020, Mr. Lindsey stated “An since you wanted me to give you head before I dropped you off, did you also want me to eat your ass too ? It doesn’t matter to me.” Victim 4 replied “LMAO” “no I’m good not really into that.”

33. On August 2, 2022, Victim 4 was presented with iMessage communications between her and Mr. Lindsey during a Child Forensic Interview (CFI). Victim 4 confirmed one of the two numbers in the iMessages was hers. Victim 4 did not recall who “Brandon” (Mr. Lindsey) was but did recall the conversations in the iMessages occurring. Victim 4 believed the individual who identified himself as “Brandon” in the iMessages was in the military. (Agent Note: During the interview, Victim 4 referred to “Brandon” as “the military guy” who is believed to be Mr. Lindsey) For approximately one to two years, Victim 4 and Mr. Lindsey communicated on and off via cellular phone, iMessage, Facetime, Snapchat, and Instagram. Victim 4 recalled Mr. Lindsey had a grey or black colored vehicle but never saw it. Victim 4 recalled Mr. Lindsey being in the military because it was the reason he gave for being in NC. Mr. Lindsey wanted to have sex a lot and made multiple attempts to meet or go on dates with Victim 4 for sexual encounters. Victim 4 agreed to meet up with Mr. Lindsey but never showed, which upset him. Mr. Lindsey disclosed he liked Victim 4’s small figure. Victim 4 and Mr. Lindsey always had explicitly sexual conversations and Victim 4 got a weird vibe from him. Mr. Lindsey informed Victim 4 he was 18 or 19 years old and Victim 4 believed she was 14 at the time. Victim 4 believes she told all older men with whom she was speaking that she was 16 years old. Victim 4 believed they exchanged nudes on Snapchat. During a Facetime call, Mr. Lindsey asked Victim 4 to take off her shirt. When Victim 4 was on Facetime with Mr. Lindsey and she would inform him she was going to shower he would ask for pictures. Victim 4 does not recall sending nudes of her in the shower but did recall sending nudes to him on other occasions. Victim 4 recalled changing in front of Mr. Lindsey over Facetime and Mr. Lindsey “flashed” Victim 4 his penis.

CONCLUSION

34. Based on the information contained herein, I submit that there is probable cause to believe that:

Count One: From in or about June 2020 through in or about June 2021, Brandon Tyler LINDSEY employed, used, persuaded, induced, enticed, and coerced a minor, Victim 1, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which visual depiction was produced using materials that have been mailed, shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer, in violation of 18 U.S.C. § 2251(a);

Count Two: From in or about June 2020 through in or about June 2021, Brandon Tyler LINDSEY, using a facility or means of interstate or foreign commerce, knowingly persuaded, induced, enticed, or coerced an individual who has not attained the age of 18 years, Victim 1, to engage in sexual activity for which a person can be charged with a criminal offense, namely production of child pornography in violation of 18 U.S.C. § 2251 and Va. Code. § 18.2-370(A)(3), in violation of 18 U.S.C. § 2422(b);

Count Three: From in or about June 2020 through in or about June 2021, Brandon Tyler LINDSEY, did travel in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18, United States Code, Sections 2423(f), with another person, Victim 1.

Count Four: From in or about June 2020 through in or about June 2021, Brandon Tyler LINDSEY knowingly received a visual depiction of a minor, Victim 1, engaged in sexually explicit conduct using a facility of interstate commerce by means of a computer, in violation of 18 U.S.C. § 2252(a)(2);

Count Five: From on or about January 25, 2022 through on or about February 21, 2022, Brandon Tyler LINDSEY attempted to employ, use, persuade, induce, entice, and coerce a minor, Victim 3, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct and for the purpose of transmitting a live visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which visual depiction was produced using materials that have been mailed, shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer, in violation of 18 U.S.C. § 2251(a);

Count Six: From on or about January 25, 2022 through on or about February 21, 2022, Brandon Tyler LINDSEY, using a facility or means of interstate or foreign commerce, knowingly persuaded, induced, enticed, or coerced an individual who has not attained the age of 18 years, Victim 3, to engage in sexual activity for which a person can be charged with a criminal offense, namely production of child pornography in violation of 18 U.S.C. § 2251 and Va. Code. § 18.2-370(A)(3), in violation of 18 U.S.C. § 2422(b);

Count Seven: From in or about June 11, 2020 through on or about February 28, 2022, Brandon Tyler LINDSEY knowingly possessed a cellular telephone, an iPhone 13 mini, IMEI 359886432727013, which contains visual depictions of minors engaged in sexually explicit conduct that have been mailed, shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or which was produced using materials which have been mailed, shipped or transported, by any means including by computer, in violation of 18 U.S.C. § 2252(a)(4)(B).


35. Accordingly, I request that a complaint and arrest warrant be issued charging Brandon Tyler LINDSEY with such offenses.

FURTHER AFFIANT SAYETH NOT.



David J. Desy
Special Agent, FBI

Sworn to before me this 22nd day of June, 2023, in the City of Norfolk, Virginia.



United States Magistrate Judge
Eastern District of Virginia